

REMARKS

REJECTION UNDER 35 USC §112, ¶1

Claim 1 is amended to introduce language found in the specification. The specification indicates that the content of hydroxy-C₁-C₆-alkyl (meth)acrylate should be "at least once ... as large as [*i.e.*, equal to,] the content of compounds of the formula (A) or (B)." P.5:29-31. Additionally, the specification indicates that there is to be "one or more compounds of the formula (A) or (B) present." P.5:7-8. The present claim language, *i.e.*, "is at least equal to the one or more compounds of the formula (A) or (B) in % by weight," combines these, and is therefore expressly supported by the present specification. Additionally, applicants wish to state that the earlier claim language was inherently present, as "one or more compounds of the formula (A) or (B)" is intended to, and most logically does, state that any combination of the compounds represented by formula (A) and formula (B) may be present. Applicants respectfully request that the rejection of claims 1-8 under 35 USC §112, ¶1 be withdrawn.

CLAIM OBJECTION

Applicants respectfully submit that the above-indicated amendment to claim 1 is sufficient to meet and overcome the examiner's objection thereto.

REJECTIONS UNDER 35 USC §102(B)/§103(A)

The examiner maintains rejection of claims 1-6 and 8 over Armour (US 3,433,701) and claims 1-8 over Bergmeister, et al. (US 3,817,896), in the alternative

under §102(b)/§103(a). This rejection is again respectfully traversed. The present claims are drawn to water-soluble or -dispersible copolymer made by free-radical polymerization of a monomer mixture containing 20-80% of a mixture of hydroxy-C₁-C₆-alkyl(meth)acrylate and one or more compounds of the formula (A) or (B), 20-80% polyvinyl alcohol, and 0-20% of other polymerizable compounds. The hydroxy-alkyl(meth)acrylate mixture must contain hydroxy-alkyl(meth)acrylate in at least an equivalent amount as the one or more compounds of (A) or (B). Neither of the cited references discloses this combination of comonomers in the proportions presently claimed.

ARMOUR (US 3,433,701)

The Armour reference discloses vinyl acetate emulsions stabilized either by adding polyvinyl alcohol (col.3:24) or by utilizing the vinyl acetate in the form of a comonomer with hydroxyalkyl esters of α,β -unsaturated carboxylic acids, among other compounds (col.3:36-49). In the latter vinyl acetate comonomer, the hydroxyalkyl ester is to be no more than 20% by weight (col.3:51-56). The emulsions contain polyvinyl alcohol in concentrations "ranging from about 2 to 12%" based on the monomer charge (col.3:60-62). These (co)polymer emulsions are then combined with a "B-stage phenolic resin" solution (col.4:3-5) to prepare the disclosed adhesive.

Comparing the vinyl acetate comonomer emulsion of Armour with that of the present claims, several key differences are apparent. In particular, Armour requires that the hydroxyalkyl ester be no more than 20% of the comonomer, with the vinyl

acetate to hydroxyalkyl ester ratio being from 80:20 to 100:0. As indicated above, the present claims require that the hydroxyalkyl ester "is at least equal to the one or more compounds of the formula (A) or (B) in % by weight." If vinyl acetate is employed as the "one or more compounds of the formula (A) or (B)," it can only be present in an amount of up to 50% of the monomer mixture. If a second compound is also included, the percentage at which vinyl acetate can be present necessarily drops. The present claims simply do not allow for a monomer mixture having 80% vinyl acetate, as is required by the Armour disclosure.

Given this difference between the present claims and the disclosure of Armour, applicants respectfully request that the present rejection of claims 1-6 and 8 under §102/§103 be withdrawn.

BERGMEISTER ET AL. (US 3,817,896)

The Bergmeister reference discloses a process for preparing aqueous copolymer dispersions containing 5-50% ethylene (col.3:6-9), with the remainder being composed of vinyl esters. Up to 40% of the vinyl esters may be replaced by other monomer components, including various hydroxyalkylacrylates (col.4:66-col.5:24). In this reference, the vinyl ester must be present in a percentage of at least 60%. As set forward above in the Armour discussion, the present claims allow only up to 50% of a vinyl ester to be mixed with the hydroxyalkylacrylate to produce the resulting copolymer. Accordingly, the present claims are neither anticipated by nor obvious over the disclosure of Bergmeister et al., and applicants respectfully request that the rejection be

ANGEL et al., Serial No. 09/964,796

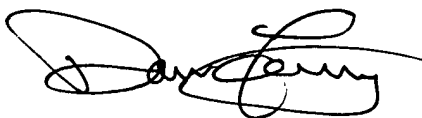
withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, applicants consider that the rejections of record have been obviated, request that the rejections of record be withdrawn, and respectfully solicit passage of the application to issue.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,
KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read 'David C. Liechty', with a stylized flourish at the end.

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